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To: Licensing and Review

Date: June 26, 2002

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From: Robert H. Underwood

Subject: Docket No.: 0975.1005-017

Applicants: Junming Le, Jan Vilcek, Peter Daddona, John Ghrayeb, David M.
Knight and Scott Siegel

Serial No.: 10/043,432

Filing Date: January 10, 2002

Number of pages including this cover sheet: 3

Please confirm receipt of facsimile: Yes No

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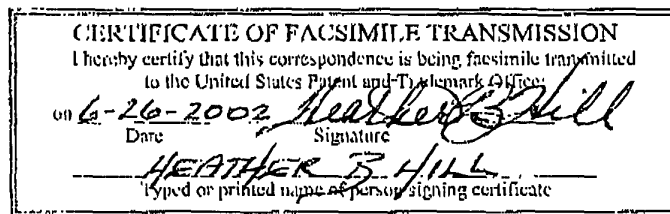
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PATENT APPLICATION
Docket No.: 0975.1095-017

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Junming Lu, Jan Vilcek, Peter Daddona, John Ghrayeb, David M.
Knight and Scott Siegel
Application No.: 10/043,432 Group: 1644
Filed: January 10, 2002
For: METHODS OF TREATING CACHEVIA WITH CHIMERIC
ANTI-TNF ANTIBODIES



REQUEST FOR RECONSIDERATION OF DETERMINATION
OF APPLICATION SUBJECT MATTER
FALLING UNDER 42 U.S.C. § 2182

ATTN: Licensing and Review
Assistant Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

Sir:

In response to correspondence mailed May 21, 2002, we respectfully request reconsideration of the determination that the subject matter of the above identified application would be useful in the production or utilization of special nuclear material or atomic energy as recited in 42 U.S.C. § 2182.

The instant application deals specifically with the use of certain antibodies to treat various diseases associated with TNF (Tumor Necrosis Factor) activation. Within the specification there are references to the use of certain radioactive isotopes (for example, see p. 75, ln 13-18). It is submitted that the use of these commercially available isotopes in this context is a standard technique in biology and is well known in the art. It is respectfully submitted that the application does not appear to disclose, purport to disclose, or disclose any invention or discovery that is

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related to atomic energy which would warrant report to the Department of Energy. It is therefor requested that the requirement for a property rights statement by the inventors under MPFP 151 be removed.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Robert H. Underwood

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Date: June 26, 2002